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Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. STEVENS].

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray. O God, our Creator and Preserver, who displays Your glory in the beauty of the seasons, thank You for the light of day and for blessings beyond our deserving. Thank You for the gift of redemption and for the opportunity to be Your salvation instruments in a world of pain. Forgive us when we miss opportunities to reveal Your character to a sometimes cynical world.

Bless Your Senators today. Give them grace to fill every hour with efforts that will truly make a difference. Endow them with insight to solve the riddles that challenge our world. Use each of us, Lord, to advance Your kingdom of good will upon Earth.

We pray this in Your holy Name, Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. McCONNELL. Mr. President, today the Senate will conduct a period of morning business until 2 p.m. and then resume consideration of the JOBS bill, also known as FSC/ETI.

As announced by the majority leader before the recess, there will be no roll-

call votes today. Chairman GRASSLEY will be here to work through consideration of pending amendments. We want to encourage Members to come to the floor for debate through the day.

The next vote will occur sometime tomorrow, Tuesday. We will notify all Members when we can lock in a time certain for any rollcall votes.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

THIS WEEK'S SCHEDULE

Mr. DASCHLE. Mr. President, I urge Senators to come to the floor. I was just discussing with the distinguished acting majority leader the schedule for the week. There are a number of amendments that could be offered with time agreements that we might be able to work through reaching an agreement on the overall list of amendments to be offered. Many would like to complete work on the bill. We could at the end of the day have a pretty good vote on the legislation that is pending. There are a number of critical amendments that our colleagues want to have considered, but I think we can work through those on a timely basis.

I look forward to more discussions with our Republican friends with regard to the schedule and the list of amendments to be offered.

GOVERNMENT WORKING FOR THE PEOPLE

Mr. DASCHLE. Mr. President, we spend a lot of time here in the Capitol talking about the abstract effects of policy. But when we go home, we see firsthand the challenges and pain so many of our constituents are facing.

I spent the last week in South Dakota. We have a higher percentage of our National Guard and Reserve units

activated than almost any other State. South Dakotans are united in our support for all the men and women who are risking their lives to defend our freedom. We are proud that America looks out for other nations.

But we need to look out for people here at home, too. We need leadership that fights for American workers and families, not against them. That is what I heard, over and over again, from people in South Dakota.

Last Tuesday, I held a town hall meeting in Spearfish, in the Black Hills. Among the people who came were a couple I have known for years.

Donna Smith is a newspaper reporter for the Black Hills Pioneer. She is one of the best journalists in my State; I have tremendous respect for her skill and fairness.

Over the years, I have seen Donna at many meetings. But this time was different. This time she was there not as a reporter but as an American who needs help.

Donna and Larry Smith have been married for 29 years. They have six children.

Larry Smith is tall and athletic. He takes good care of his health. Unfortunately, he inherited some bad genes; his arteries clog. He had his first heart bypass surgery when he was 47 years old and his second one a year later.

Everything was fine for almost 11 years. Then, about a year ago, Larry started feeling constant, debilitating pain in his legs and hips.

Larry works at a casino in the Black Hills. He was a machinist all his working life, but he switched to cashier because he couldn't take the walking involved in his old job; it hurt too much.

Last February, he had a stent placed in his heart. His doctors determined that the pain was being caused by a build-up of plaque in Larry's arteries. They said the only place he could find a vascular surgeon skilled enough to clear the blockages was at the Mayo Clinic in Rochester, MN.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Larry had that surgery. He was at the Mayo Clinic nearly a month. Donna was with him the whole time. Their insurance company paid most of the hospital bills.

But there were lots of out-of-pocket costs insurance didn't cover:

The lost income from the time both Larry and Donna had to take off from their jobs; the cost of getting to and from the Mayo Clinic; the cost of Donna's motel; the \$2,000 annual deductible the Smiths had to pay before their insurance coverage kicked in; the \$200 they spend every month on the prescription drugs Larry takes to control his blood pressure and other health conditions.

In addition, Donna is a diabetic and a cancer survivor. They spend another \$150 a month on her prescriptions.

Then there are the health insurance premiums: \$270 a month for Larry and \$180 a month for Donna.

Add it all up and, suddenly, a couple who had worked hard all their lives and put six children through college is drowning in a sea of medical debt—\$18,000 in debt.

Larry and Donna Smith have done everything they can to honor their debts. They sold their home. They now live in a smaller, rented house. They have borrowed money from friends.

They have even borrowed money from their children. Talking about that is one of the few times Donna cries. "How demeaning," she says, "to have to ask your children for money. We're at a time in our lives when we ought to be showering our grandchildren with gifts, but we can't. We can't even pay our bills."

Creditors started threatening lawsuits. Bill collectors called at home and work. They garnished Donna's wages.

In January—less than a year after Larry's surgery at Mayo—the pain in his legs came back. It's worse than ever now. It hurts him to lift the bags of coins at the casino. It hurts him just to walk.

But he still works five nights a week; he can't afford to take time off.

Two weeks ago, Donna decided there was nothing else they could do, no one else they could borrow money from. So they filed for bankruptcy.

On April 6, Larry Smith is scheduled to go back to the Mayo Clinic to see if there is anything else that can be done. Donna says they have no choice. Without medical help, Larry is at increased risk of a heart attack or stroke or amputation.

The people at Mayo have generously offered to "work with" the Smiths to meet the \$2,000 deductible.

Donna doesn't know where she'll stay this time. She says maybe she'll sleep in the car.

There's something else Donna Smith doesn't know. As she puts it, "I don't know how to give up. This is my husband. This is the man I've spent my whole life with, the man who fathered my children, and who worked hard all his life to support us.

She said, "We know that there are hundreds of thousands of other people going through this, too. You pay for health insurance and you always believe that everything will be covered, but it is not. The safety net is not there and suddenly you have nothing.

"If people are just supposed to give up, how do you do that?" Donna asks. "How do you just give up on the life of someone you love?"

Larry Smith and I talked for quite a while last week. I found out later that he spent 48 hours thinking about exactly what he would say so that I would understand how fragile economic security has become for so many middle-class families. All over this country, people who have done everything right—people who have worked for decades, bought their own homes, put their children through college, saved for their retirements—are finding they are just one medical emergency, one pink slip, one bad break away from serious economic trouble. The social and economic safety net that used to protect families is being shredded. Health care costs that used to be manageable are bankrupting families and businesses.

Last Thursday, I had another town-hall meeting in Aberdeen, my hometown. That afternoon I got a fax from a general manager of a farmers' cooperative grain elevator in the nearby town of Florence. His name is Steve Schlenner. He said 3 years ago the health care premiums for the co-op's employees went up 38 percent. The next year they went up another 28 percent. Last year they increased another 24 percent. This year they had to lay off one of their workers so they could afford health insurance for the other workers.

He asks:

How are we ever going to get people back to work if the insurance companies are taking more and more of our profits every year? At this rate, only the rich will be able to afford insurance in the future. . . . The average hard-working, tax-paying, middle-class American needs to be put on the endangered species list if we sit back and do not address these insurance issues and high unemployment [rates].

He ends his fax by saying:

Thank you for taking my comments seriously. They represent the thoughts and feelings of quite a few people in this area.

All of us, Democrats and Republicans, need to take the comments of people like Donna and Larry Smith and Steve Schlenner seriously. Donna and Larry are luckier than many Americans. They have insurance. More than 43 million Americans have no health insurance. We must work together to make health insurance affordable again and health care accessible to all Americans.

We need to fix what is wrong with the new Medicare prescription drug program. At a minimum, we need to end the prohibition that prevents the Government from negotiating better prices for seniors. We need to allow the safe reimportation of drugs from Can-

ada and other countries where they are less expensive. We need new policies that create good jobs in America.

There are 8.2 million Americans out of work. Two million have been out of work for the last 6 months or longer. It is not their fault they cannot find jobs. Last month, the economy created only 21,000 new jobs—all of them Government jobs, none in the private sector. Mr. President, 21,000 jobs; that is one new job for every 389 unemployed workers.

The administration and some of our Republican colleagues say the economy is getting stronger. I guess I would ask, whose economy? Not the 8.2 million Americans who want to work but cannot find jobs; not the 43 million Americans without health insurance; not the millions of Americans who are working harder than ever and taking on more debt than ever.

We need trade and tax policies that reward companies for creating jobs in America—not for shipping American jobs overseas. We need to help workers who are hurt by outsourcing, and make sure they get access to health care and job training while they get back on their feet.

Unless we act to prevent it, 9 days from today, on March 31, the Government will stop paying unemployment insurance benefits to workers who have already exhausted their State benefits. We cannot let that happen. We need to extend Federal unemployment insurance benefits now.

Also, at the end of this month, the Federal Government and the Department of Labor will issue new regulations effectively ending overtime pay for 8 million American workers. The Senate voted on a bipartisan basis to reject that change when the White House proposed it, but the House rejected it. Somehow, behind closed doors, someone slipped it into a conference report that had to pass or most of the Federal Government would have been shut down.

That is wrong. The Senate should reject this bad idea and the underhanded way it was handled. We should vote to protect the 40-hour workweek and overtime pay. Working families cannot afford a cut in pay.

A week ago today, Lead-Deadwood High School held its annual Government Day. Students at the school spent the day shadowing local government officials, observing firsthand how democracy in America works. In a story about the program, on the front page of the Black Hills Pioneer, the students talked about how interesting it was to see Government work for people. That story was written by Donna Smith. Despite all of their struggles, she and her husband still believe Government can be a force for good. They, and millions of other Americans, are looking to us for help. As we begin this next work period, let's vow not to disappoint them.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Texas is recognized.

MEASURE PLACED ON THE CALENDAR—S. 2207

Mr. CORNYN. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2207) to improve women's access to health care services, and the access of all individuals to emergency and trauma care services, by reducing the excessive burden the liability system places on the delivery of such services.

Mr. CORNYN. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. CORNYN. I thank the Chair.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Texas.

MARRIAGE

Mr. CORNYN. Mr. President, I want to say a few words about a hearing we are going to have tomorrow in the Senate Judiciary Committee on the subject of marriage. I know the last thing I thought I would be doing, coming from Texas to Washington, DC, would be talking about traditional marriage, but such are the times we live in.

Earlier this month I chaired a hearing in the Judiciary Committee's Subcommittee on the Constitution regarding the U.S. Supreme Court's decision last summer in *Lawrence v. Texas*, as well as the Goodridge decision from the Massachusetts Supreme Court that resulted from it, and the subsequent explosion of the marriage controversy across America. I thought we had a very thought-provoking discussion, a bipartisan discussion, and one that will continue at our hearing tomorrow where proposed constitutional language is the subject.

At the hearing earlier this month I was moved by the sentiments of Pastor Daniel de Leon of the Templo Calvario Church in California and Rev. Richard Richardson of the African Methodist Episcopal Church in Boston, who we were honored to have in attendance.

Both testified they would rather be at home than having to defend tradi-

tional marriage here in Washington. But it is because of the work they do in their own communities, because they see the results of the decline of marriage in their communities every day, that they believe traditional marriage is so important and worth defending.

This is a discussion we will continue to have in the coming months. I believe it is vital that we have a national discussion on the importance of this institution, and a discussion based upon the facts.

In recent months, a lot of people have spent time talking about the benefits of marriage for adults. They have talked about hospital visiting rights and inheritance problems, even though many of these issues can be solved simply and quickly by statute or arrangements that can be achieved by simply signing a few simple documents.

This discussion, in terms of the benefits to adults, has included discussion of Government benefits, even though with these benefits come burdens, and the actual financial ramifications of these benefits are a matter for future debate.

Today it is time to turn the debate to what I believe is an even more important issue—that is, the benefits of marriage to children.

It is easy for some people to step back and say: The same-sex marriage controversy doesn't affect me. But the facts, demonstrated by experiments in other countries, show us otherwise. The facts show us this issue affects everyone, but especially children. None of us can pretend to ignore this issue, and none of us can afford to be neutral on this subject.

Scandinavia has treated same-sex households as marriage for more than a decade. This practice was instituted in Denmark in 1989, in Norway in 1993, and in Sweden in 1994. The direct reaction was relatively small. Very few people were actually interested in being part of this new arrangement, and to this day the number of participating individuals and households remains low.

The greatest effect was not on those who had sought the new institution but, in fact, on society at large. Sad to say, there has been an enormous rise in family dissolution and out-of-wedlock childbirths in these countries since they embraced the institution of same-sex marriage.

Today, about 15 years after Denmark created this new institution, a majority of children in Scandinavia are born out of wedlock, including more than 50 percent of children in Norway and 55 percent of children in Sweden. In Denmark, a full 60 percent of first-born children have unmarried parents. In Scandinavia as a whole, traditional marriage is now an institution entirely socially separated from the idea of childbearing or child-rearing. It is regarded as an incidental union, not an important one.

Respected British demographer Kathleen Kiernan drew on the Scandinavian

case to form a four-stage model by which to gauge a country's movements towards Swedish levels of out-of-wedlock childbirth.

At stage one, the vast majority of the population produces children within marriage, such as in Italy. In the second stage, cohabitation is tolerated as a testing period before marriage and is generally a childless phase such as we currently have in America. In stage three, cohabitation becomes increasingly acceptable and parenting is no longer automatically associated with marriage. While Norway was once at this stage, recent demographic and legal changes have pushed it further into stage four, along with Sweden and Denmark. In this fourth stage, marriage and cohabitation become practically indistinguishable, with many children—even most children—born and raised outside of traditional marriage. According to Kiernan, once a country has reached this stage, return to an earlier phase is highly unlikely.

As you can see, the dilution of marriage is passed on to children, to the next generation, and the devaluation continues. And in America, the results could be even more significant than in Scandinavia; after all, we are already facing the problem of too many single-parent households, particularly in inner-city communities.

When the ideal of traditional marriage is removed, when cohabitation and marriage are equally regarded, and when childbearing is no longer something that ought to ideally come within the context of traditional marriage, I fear the problem of single-parent households will only worsen.

While many single parents do a very good job day in and day out raising children against long odds, no one considers it the best arrangement for raising children—with good reason. Indeed, we have a wealth of social science research from hundreds of sources over the course of decades which consistently reflects both the positive ramifications for children of a stable traditional marriage, and the negative effects of family breakup.

Marriage provides the basis for the family, which remains the strongest and most important social unit. Countless statistics and research attest to this fact. It is not ideal to raise children outside of marriage. While everyone is free to choose his or her own path, no one wishes divorce on children but, rather, a happy and stable home.

In America, we have made the decision that we ought to particularly encourage and support those who marry and have children. This is not a partisan issue. As one of the most distinguished Democratic Members of this body, Senator Daniel Patrick Moynihan, observed more than a decade ago, we must stop "the breakup of family inevitably" as best we can:

[T]he principal social objective of the American national government at every level . . . should be to see that children are born into intact families and that they remain so.